

### **Remarks**

Applicant respectfully requests reconsideration of the above-identified patent application in view of the amendments to the claims. Claims 17-35 are pending in this application upon entry of this Amendment. In this Amendment, Applicant has cancelled Claims 1-16 and added Claims 17-35. Of the pending Claims, Claims 17, 23 and 31 are independent claims.

### **Claim Rejections -35 U.S.C. § 103**

Claims 1-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over International Publication Number WO 02/086589 disclosed by Laverty (“Laverty”). Applicant has canceled Claims 1-16.

Applicant respectfully submits that Claims 17-35 as presented are patentable and the case is in condition for allowance.

#### **1. Laverty**

Laverty generally describes a lenticular display device that uses bolts 30, a retainer 9, and a retaining flange 40 of a cam 11 to engage the rear surface 14 of the back panel 2 to retain “the front panel 4 close to the back panel with a set gap between the front panel 4 and back panel 2” (Page 7, lines 1-5).

“Once proper alignment has been achieved the cams 11 are then fully rotated so that the cam surface 12 is in direct contact with the edge 60 of the back panel 2. The front panel 4 is therefore under high tension thus eliminating the gaps as described before, allowing for a high quality lenticular image. The tension in the front panel and stiffness in the back panel resulting in such pressure between the lens and image sheet that the image sheet remains stable when the front panel is firmly pressed on, the tension is also such that the image sheet 20 and

lens 21 are securely held in place and will not move relative to each other under normal circumstances until the tension is removed.” (Page 7, lines 17-25).

In one embodiment, Lavery discloses “the image sheet 20 and lens 21 are provided with registering, elongated slots 240 and 241 respectively.” “Both the image sheet 20 and lens 21 are located on pins 250, each pin 250 being a nominal fit with a respective pair of registering slots 240, 241 so that the interlaced images and the lenticules remain parallel to each other while allowing for relative movement in a direction perpendicular to the lenslets.”

In another embodiment, Lavery has a hole 275 in the lens 21. The lens 21 is fixed due to a pin 250 and hole 275 arrangement. However, slots 240 in the image sheet 20 allow the image sheet to move relative to the lens 21.

## **2. Applicant Compared to Lavery**

Amended independent claim 17 recites a lenticular display assembly having a fastener adapted to releasably fasten the image panel to the lenticular lens panel using the connection holes of the image panel and the connection holes of the lenticular lens panel to align the image panel relative to the lenticular lens panel. Applicant uses the connection holes of the image panel and the connection holes of the lenticular lens panel to align the image panel relative to the lenticular lens panel. In addition, Applicant uses the fastener to releasably fasten the image panel to the lenticular lens panel using the connection holes of the panels.

Examiner admits that Lavery does **not** disclose “an image panel having connection holes, a lenticular lens panel having connection holes, and connect the image panel to the lenticular lens panel by cooperating with the connection holes of the image panel and the lenticular lens panel such that the image panel and the lenticular lens panel are in an aligned relationship.”

Instead of using a fastener to releasably fasten the image panel to the lenticular lens panel using connection holes, Lavery uses a retaining flange 40 of a cam 11 to engage with

the rear surface 14 of the back panel 2 to indirectly hold the image sheet 20 and lens 21 in place until the retaining flange 40 of the cam 11 is released from the back panel 2. Furthermore, neither bolts 9, cam 11, nor retainer 9 of Laverty are used with any type of connection hole to fasten the image panel relative to the lenticular lens panel.

Instead of using connection holes for fastening and alignment, Laverty uses a cam 11 once proper alignment has been **previously** achieved. Unlike the fastener of Applicant, the cam 11 of Laverty cannot be used to ensure that an image panel and a lenticular lens panel are aligned. The cam 11 of Laverty simply engages the rear surface 14 of the back panel 2 regardless of whether proper alignment has been achieved between the image panel and the lenticular lens panel. Note, neither the bolts 9, the cam 11, nor the retainer 9 of Laverty use a connection hole to either align or fasten the image panel to the lenticular lens panel. Furthermore, Laverty does not suggest using connection holes of either the image sheet or the lens to align the image sheet relative to the lens prior to fastening.

Instead of using connection holes for fastening and alignment, Laverty discloses elongated slots 240, 241 and pins 250. Each pin 250 of Laverty has a **nominal fit** with a respective pair of registering slots 240, 241 while **allowing for relative movement**. In another embodiment, Laverty has a hole 275 in the lens 21. The lens 21 is fixed due to a pin 250 and hole 275 arrangement. However, slots 240 in the image sheet 20 allow the image sheet to move relative to the lens 21. In contrast, Applicant uses a fastener adapted to engage the connection holes of the image panel and the connection holes of the lenticular lens panel to releasably fasten and align the image panel to the lenticular lens panel. Unlike Laverty that allows for relative movement, the fastener and connection holes of Applicant prevent relative movement between panels.

Examiner concludes “it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the lenticular display device of Laverty, since...omission of an element and its function in a combination where the remaining elements perform the same function as before involves only routine skill in the art.” However, the Examiner has not provided any articulated reasoning to support a conclusion that it would be

obvious to one having ordinary skill in the art at the time the invention was made to use both connection holes of the image panel and the connection holes of the lenticular lens panel to align the image panel relative to the lenticular lens panel.

In addition, the Examiner has not provided any articulated reasoning that it would be obvious one having ordinary skill in the art at the time the invention was made to use a fastener to releasably fasten the image panel to the lenticular lens panel using connection holes of the image panel and the connection holes of the lenticular lens panel.

Consequently, the Examiner has provided no articulated reason to support the conclusion that it would have been obvious to use the connection holes of either the image panel relative or the lenticular lens panel for either alignment, fastening, or alignment and fastening. Accordingly, Applicant respectfully requests the case be placed in condition for allowance.

The Petition fee of \$230 is being charged to Deposit Account No. 02-3978 via electronic authorization submitted concurrently herewith. The Commissioner is hereby authorized to charge any additional fees or credit any overpayments as a result of the filing of this paper to Deposit Account No. 02-3978.

Respectfully submitted,

**MICHAEL SUMMERLIN**

By /Mathew R. Syrowik/  
Mathew R. Syrowik  
Reg. No. 62,443  
Attorney for Applicant

Date: July 1, 2008

**BROOKS KUSHMAN P.C.**  
1000 Town Center, 22nd Floor  
Southfield, MI 48075-1238  
Phone: 248-358-4400  
Fax: 248-358-3351